MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC June 8, 2006

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Council Member Rose Glover and posting of the colors and the pledge of allegiance to the flag led by the Police Department honor guards. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

City Manager Wayne Bowers stated that on Monday night the Council added to tonight's agenda a request from the West Greenville Regional Resources, Inc. regarding a summer and after school program. This has been added as Item #27.

Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Council to approve the agenda with the item added Monday night as Item #27. Motion carried unanimously.

SPECIAL RECOGNITIONS

Mr. Lonnie Johnson was presented with a plaque upon his retirement with 28 years and 9 months of service in the Public Works Department.

Major Kevin Smeltzer was presented a plaque by City Manager Wayne Bowers for having served as Interim Police Chief from April 1 through June 4.

Mayor Parrott, Human Relations Council Chairperson Franchine Pena, and Human Relations Council Vice-Chairperson Monalita Buck awarded certificates and plaques to the Young Citizen of the Year nominees and recipients as follows:

Nominees: Arun Ajmera

David Fichuo Yolanda Gardner Sarah Hardee Hannah Hodson Ryan Hussey

Recipients: P. J. Michaelson (Middle School)

Raymond Williams (High School) Cameron Ellis (High School)

APPOINTMENTS TO BOARDS AND COMMISSIONS

Board of Adjustment

Motion was made by Council Member Spell and seconded by Council Member Little to reappoint Steven Estes (Alternate #2), John Hutchens (Regular Member) and Renee Safford-White (Alternate #1) for a first three-year term expiring June 2009. Motion carried unanimously.

Community Appearance Commission

Motion was made by Council Member Dunn and seconded by Council Member Little to continue the replacement for Seth Brown and to reappoint Ginger Eckermann for a second three-year term expiring July 2009. Motion carried unanimously.

Greenville Utilities Commission

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to continue the replacement of Jerry Powell to August 2006. Motion carried unanimously. Commissioner Lynn Evans, a County representative, has served his first three-year term and will automatically fill a second three-year term expiring June 2009.

Pitt-Greenville Airport Authority

Motion was made by Council Member Craft and seconded by Council Member Spell to reappoint David Steele for a second four-year term expiring July 2010. Motion carried unanimously.

Pitt-Greenville Convention and Visitors Authority

Motion was made by Council Member Spell and seconded by Council Member Dunn to appoint Joseph Fridgen for the "member of tourist or convention-related business" slot for a first three-year term expiring July 2009, replacing Susan Daughtry, who is ineligible for reappointment; to appoint Terry Shank for the "resident not involved in tourist or convention-related business" slot to fill an unexpired term expiring July 2008, replacing Robert Mason who resigned; and to recommend reappointment of Kenneth Ross for a first three-year term expiring July 2009, to fill

the county "member of tourist or convention-related business" slot. Motion carried unanimously.

Recreation and Parks Commission

Motion was made by Council Member Little and seconded by Council Member Spell to reappoint Wilbur Bennett and Sydney Womack for a second three-year term expiring June 2009 and to continue the replacement for Mitchell Jones to August 2006. Motion carried unanimously.

ORDINANCE REZONING MAXINE A. SPEIGHT PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF REEDY BRANCH ROAD AND TICE ROAD FROM OR TO CG - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29 and June 4, 2006 setting this time, date and place for a public hearing to consider a request by Maxine A. Speight to rezone 0.8927 acre located at the northeast corner of the intersection of Reedy Branch Road and Tice Road from OR to CG. The Planning and Zoning Commission, at its May 16, 2006 meeting, voted to recommend approval of the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that the site is located between the community college properties and Community Square Shopping Center. To the north of Tice Road is a parking lot owned and operated by Pitt Community College. The subject property is not impacted by the floodplain. The area is surrounded by portions of the major transportation system, and the change in zoning would increase traffic by 250 trips with the majority of the trips to the north. The site is recommended for commercial uses. The existing office zoning was designated at the time the original Tice Drive-In property was rezoned to General Commercial. The request is in general compliance with the Horizons Plan, provided that the commercial zoning protects the interest of Pitt Community College.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Ms. Alicia Speight, General Manager of Speight Properties, was available to answer questions. She stated that this property will be combined with Community Square Shopping Center. The developer has spoken to Mr. Honeycutt at Pitt Community College regarding the request.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to adopt the ordinance rezoning 0.8927 acre located at the northeast corner of the intersection of Reedy Branch Road and Tice Road from OR to CG. Motion carried unanimously. (Ordinance No. 06-51)

ORDINANCE ANNEXING WINDSOR DOWNS PROPERTY, PHASE 2, LOCATED WEST OF COREY ROAD AND WINDSOR DOWNS, PHASE 1 - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29, 2006 setting this time, date and place for a public hearing to consider a request by Windsor Downs to annex 29.73 acres located west of Corey Road and Windsor Downs, Phase 1. This is a contiguous annexation.

Mr. Merrill Flood, Director of Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 45 single-family dwellings. The current population is 0, and the anticipated population at full development is 105, with 26 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Glover to adopt the ordinance annexing 29.73 acres located west of Corey Road and Windsor Downs, Phase 1. Motion carried unanimously. (Ordinance No. 06-52)

ORDINANCE ANNEXING UPTON TRACT PROPERTY, PHASE 1, LOCATED NORTH OF MACGREGOR DOWNS ROAD AND EAST OF WYNGATE SUBDIVISION - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29, 2006 setting this time, date and place for a public hearing to consider a request by Upton Tract to annex 6.56 acres located north of Macgregor Downs Road and east of Wyngate Subdivision. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 1. The property is currently vacant and the proposed use is a 72,000 sq. ft. nursing home. The current population is 0, and the anticipated population at full development is 152, with 60 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Spell and seconded by Council Member Craft to adopt the ordinance annexing 6.56 acres located north of Macgregor Downs Road and east of Wyngate Subdivision. Motion carried unanimously. (Ordinance No. 06-53)

ORDINANCE ANNEXING BOYS AND GIRLS CLUB OF PITT COUNTY, INC. PROPERTY LOCATED SOUTH OF NC HIGHWAY 33 AND WEST OF E. R. LEWIS CONSTRUCTION COMPANY PROPERTY - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily</u> Reflector on May 29, 2006 setting this time, date and place for a public hearing to consider a

request by the Boys and Girls Club of Pitt County, Inc. to annex 17.0065 acres located south of NC Highway 33 and west of the E. R. Lewis Construction Company property. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 1. The property is currently vacant and the proposed use is a 50,000 sq. ft. Boys and Girls Club. The current population is 0, and the anticipated population at full development is 0, with 0 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to adopt the ordinance annexing 17.0065 acres located south of NC Highway 33 and west of the E. R. Lewis Construction Company property. Motion carried unanimously. (Ordinance No. 06-54)

ORDINANCE ANNEXING TABERNA PROPERTY, PHASE 3, LOCATED WEST OF FROG LEVEL ROAD AND NORTH OF TABERNA, PHASE 2 - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29, 2006 setting this time, date and place for a public hearing to consider a request by Taberna to annex 22.9067 acres located west of Frog Level Road and north of Taberna, Phase 2. This is a noncontiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 70 single-family dwellings. The current population is 0, and the anticipated population at full development is 164, with 41 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Glover to adopt the ordinance annexing 22.9067 acres located west of Frog Level Road and north of Taberna, Phase 2. Motion carried unanimously. (Ordinance No. 06 - 55)

ORDINANCE ANNEXING MILL CREEK SUBDIVISION PROPERTY, PHASE 1, LOCATED EAST OF FROG LEVEL ROAD AND NORTH OF FOREST PINES SUBDIVISION - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29, 2006 setting this time, date and place for a public hearing to consider a request by Mill Creek Subdivision to annex 26.8422 acres located east of Frog Level Road and north of Forest Pines Subdivision. This is a noncontiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 71 single-family dwellings. The current population is 0, and the anticipated population at full development is 174, with 20 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to adopt the ordinance annexing 26.8422 acres located east of Frog Level Road and north of Forest Pines Subdivision. Motion carried unanimously. (Ordinance No. 06-56)

RESOLUTION AUTHORIZING DISPOSITION OF LOTS 32, 39, 40, 41, AND 42 IN COUNTRYSIDE ESTATES SUBDIVISION TO RAYMOND CARNEY CONSTRUCTION - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29, 2006 and June 4, 2006 setting this time, date and place for a public hearing to consider a resolution authorizing the disposition of Lots 32, 39, 40, 41 and 42 in Countryside Estates Subdivision to Raymond Carney Construction.

Mr. Flood stated that on May 1 and 8, 2006, a request for proposals was issued for five lots located in Countryside Estates Subdivision, and the deadline for submitting proposals was May 12, 2006. Proposals were received from one general contractor, Raymond Carney Construction Company, Inc. The contractor is currently building on lots in the subdivision. The disposition includes Lots 32, 39, 40, 41, and 42, to which Raymond Carney Construction Company, Inc. proposes to construct homes. The homes would be approximately 1200 square feet including three bedrooms and two baths. Each home would sell for a price averaging \$93,400. The cost per square foot to construct is \$72. Development of these lots will provide additional affordable single-family housing units for flood survivors and low to moderate income families. All homes will be built per City of Greenville building specifications and will meet E-300 energy efficiency standards. This will complete Countryside Estates. The lot price is \$7500 each.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Glover to adopt the resolution authorizing the disposition of Lots 32, 39, 40, 41, and 42 in Countryside Estates Subdivision to Raymond Carney Construction. Motion carried unanimously. (Resolution No. 06-27)

ORDINANCE RELATING TO DILAPIDATED STRUCTURE AT 703 MARTIN LUTHER KING, JR. DRIVE - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily</u> Reflector on May 29, 2006 and June 4, 2006 setting this time, date and place for a public hearing

to consider an ordinance relative to the dilapidated structure at 703 Martin Luther King, Jr. Drive.

Mrs. Rhonda Jordan, Code Enforcement Coordinator, stated that the initial notice of violation and order to secure the vacant structure owned by Pearline Felder at 703 Martin Luther King, Jr. Drive was sent on April 24, 1998 to the property owner. The initial order identified Minimum Housing Code violations and the necessary remedies to comply with the code. Staff attempted to work with the owner, but the owner has not repaired the structure. The staff reopened the case to make repairs and secure the structure on January 5, 2005. An order to secure the structure was made at that time because it was abandoned and in a state of dilapidation according to sections 9-1-71 through 9-1-79 of the City Code. The City has secured a number of openings at this location as well. Utilities to the structure have been disconnected since July 1, 1998. The current tax value of the property as of May 25, 2006 is \$20,170 (building value of \$16,740 and land value of \$3,430). The tax value from the last reporting period has decreased by \$2,030. Estimates to repair the structure would exceed \$75,000, which is more than 50% of the value of the structure. As of May 25, 2006, the property owner was not delinquent with property taxes. Provisions of the City Code allow for City Council to give a final order to repair or demolish the structure since it has been abandoned and boarded up for six months. The house beside of this has been purchased by the City of Greenville and the one across the street has been purchased by the City and is scheduled to be demolished.

The process that is being undertaken was discussed.

City Attorney Holec stated that the cost of demolition is a lien on the property. There is a bill sent to the owner to give owner an opportunity to pay the bill, and if that doesn't happen, the City resorts to foreclosure.

Mrs. Jordan stated that after the demolition order is approved by City Council, the City will ensure it is carried out. The asbestos inspector will check it; the abatement will be done, and staff will proceed with demolition of the property. The owner has 90 days after adoption of the ordinance to decide whether to repair the property.

Council Member Glover stated that Mr. Felder has purchased a building permit. This property is in the 45-block area. She asked if Mr. Merrill Flood, Director of Community Development, would get with Mr. Felder, and he responded that he would.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. John Felder, son of the owner, stated that the house has broken windows and chipped and peeling paint. He took exception to the report that it will take \$75,000 to bring it up to the Minimum Housing Code. The house has already been gutted so that repairs can be made. His mother didn't get notice of this hearing until one day before it happened. He can bring it up to a satisfactory level in 90 days. If they can reach a mutual agreement with the City on purchase of the property, they will do so. The property is definitely repairable.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance for repair or demolition of the structure at 703 Martin Luther King, Jr. Drive. Motion carried unanimously. (Ordinance No. 06-57)

ORDINANCE AMENDING TITLE 9, CHAPTER 8 OF THE BUILDING, PLANNING AND DEVELOPMENT REGULATIONS ENTITLED SOIL EROSION AND SEDIMENTATION CONTROL – ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29, 2006 and June 4, 2006 setting this time, date and place for a public hearing to consider an ordinance amending Title 9, Chapter 8 of the building, planning and development regulations entitled Soil Erosion and Sedimentation Control.

Mr. David Brown, City Engineer, stated that the North Carolina Department of Environment and Natural Resources is requiring changes to the City's Soil Erosion and Sedimentation Control Ordinance to bring it in compliance with minimum standards and requirements set forth by the State of North Carolina Sedimentation Pollution Control Act. The proposed amendment complies with State requirements, bringing the local program and ordinance into conformance with current state law. These amendments include identifying the jurisdictions in which the City's ordinance may be enforced, establishing 21 calendar days as a limit for providing sufficient ground cover at any phase of grading, referencing appropriate state legislation as needed, and identifying limits for civil penalties. The North Carolina Department of Environment and Natural Resources has reviewed and approved the proposed ordinance amendments.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to adopt the ordinance amending Title 9, Chapter 8 of the building, planning and development regulations entitled Soil Erosion and Sedimentation Control to correspond with the minimum requirements set forth by the State of North Carolina Sedimentation Pollution Control Act. Motion carried unanimously. (Ordinance No. 06-50)

OPERATING AND CAPITAL GRANT APPLICATION FOR FEDERAL TRANSIT FUNDS TO ASSIST GREENVILLE AREA TRANSIT (GREAT) SYSTEM - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on May 29, 2006 and June 4, 2006 setting this time, date and place for a public hearing to consider an operating and capital grant application for federal transit funds to assist the Greenville Area Transit (GREAT) System.

Mrs. Nancy Harrington, Transit Manager, stated that this is the annual request for approval of a grant application for the Federal Transportation Administration for funds to assist GREAT with routine capital and operating expenses in FY 2006-07. Section 5307 funds are available to urban areas with populations of 50,000 to 200,000 to assist with expenses associated with operating a

fixed route transit system. The grant funds are used to reimburse the City for one half of the operating deficit and eighty percent of capital expenditures. Staff is asking for the total federal amount allocated for Greenville, which is \$916,332.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Spell to adopt the resolution authorizing the City to file the grant application. Motion carried unanimously. (Resolution No. 06-28)

PUBLIC COMMENT PERIOD

Mrs. Nancy Colville, a resident of Greenville since 1966, spoke in opposition to the request by a nonprofit to be funded by the City. The County Commissioners' practice of funding nonprofits is a nightmare. Also, it takes funding away from other things, creating political issues. The County is backing off of the practice, because it has gotten out of hand, and a committee composed of employees deals with the requests. The City has a full plate. If the City opens the door for one nonprofit, they will have to do so for all. She thanked all private citizens and businesses that contribute out of their pocket so that the children and elderly can benefit from it. Greenville should be proud.

Mr. Ozie Hall stated that if someone looks at cities across the United States, most of them set aside monies out of local funds for nonprofits. When nonprofit organizations apply for funds, they have to show what kind of support they get from the local community. The purpose of nonprofits is to carry out services in the community for all the people. They are set up with a purpose to be able to obtain governmental support as well as from foundations, private individuals, etc. Mr. Hall urged the Council to look at what other cities and governmental agencies are doing. The State government provides funds for nonprofit organizations. Allowing the Boys and Girls Club to use the South Greenville Center Annex was a backdoor way to provide funding.

Mrs. Edna Atkinson, a member of the Community Appearance Commission, stated that she is thankful that Keep America Beautiful has become a reality in Greenville. She asked how many candidates will be appointed for the Board and whether they will receive a paycheck.

Mayor Parrott asked Mrs. Atkinson to contact the City Clerk for that information.

ORDINANCES ADOPTING BUDGETS FOR 2006-2007 AND FINANCIAL PLANS FOR 2007-2008: CITY OF GREENVILLE, GREENVILLE UTILITIES COMMISSION, SHEPPARD MEMORIAL LIBRARY AND GREENVILLE-PITT COUNTY CONVENTION & VISITORS AUTHORITY - ADOPTED

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to adopt the FY 2006-07 City of Greenville budget ordinance, which included the budgets of the City,

Sheppard Memorial Library and the Convention and Visitors Authority. Motion carried unanimously. (Ordinance No. 06-58)

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to adopt the FY 2006-07 Greenville Utilities Commission budget ordinance. Motion carried unanimously. (Ordinance No. 06-59)

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to approve the FY 2007-08 financial plans for the City of Greenville, Convention and Visitors Authority, Sheppard Memorial Library, and Greenville Utilities Commission. Motion carried unanimously. (Document No. 06-7)

REQUEST BY GREENVILLE-PITT COUNTY CONVENTION & VISITORS AUTHORITY FOR AN EASEMENT ON THE TOWN COMMON FOR THE CIVIL WAR TRAILS PROJECT - APPROVED

Ms. Debbie Vargas, Executive Director of the Greenville-Pitt County Convention and Visitors Authority, stated that Civil War trailmarkers preserve local heritage while increasing the economic impact. She was approached by Mickey Harris, who has worked with a group over the last several months to find sites for such markers. He made a presentation at the Convention and Visitors Authority meeting last meeting and received unanimous support.

Mr. Harris thanked Council for giving him an opportunity to present and share local history and heritage. He stated that there were 60,000 North Carolina soldiers that served in the Union Army in the Civil War, many from eastern North Carolina. On July 19, 1863, Potter's Raid took place near the courthouse and Courtside Café. Potter's forces consisted of 5,000 black men in eastern North Carolina in the Union Army. Potter's Raid is spoken of on a marker the group would like to place on the Town Commons and at St. Johns Episcopal Church. This is a tourism program designed to draw tourists to the area with Civil War information. There are currently over 155 markers in North Carolina. The North Carolina Civil War Trails brochure is the single-most requested tourism brochure in the State, outnumbering all others 10 to 1. It is expected that 1.5 million will be distributed this year. Markers are in place or are about to be placed in every county bordering Pitt County. The group is seeking an easement for a marker in Greenville on the Town Commons, and there is no financial obligation by granting the easement. If the easement is granted, they have a sponsor for the marker. In order to place a marker, available parking is essential. Even though the actual location of Potter's Raid is the where the courthouse sits and Courtside Café, there is not enough parking in that area. That is why the Town Commons was chosen. It was suggested that the area near the bridge on the eastern edge of the Town Commons would have parking available. The average Civil War Trails tourist is between the age of 35 and 60 and spends \$67 per day, and the regular tourist spends \$45 per day. This would also be an additional source of dollars for businesses downtown. The project has something for everyone. All the marker does is state what happened.

Motion was made by Council Member Craft and seconded by Council Member Little to approve a temporary easement at Greenville Town Common for the Civil War Trails marker. Motion carried unanimously. (Contract No. 1511)

Mayor Pro-Tem Council stated that it is good to get creative things in cities and towns. If people can learn from them, they are beneficial. If people learn history, it will make it easier to work together and share. It creates more discussion, particularly with young people.

APPROVAL OF THE ANNUAL WORK PLAN FOR THE GREENVILLE REDEVELOPMENT COMMISSION - APPROVED

Mr. Carl Rees, Urban Development Planner, stated that the Redevelopment Commission provides the City Council with an annual work plan to coincide with the upcoming fiscal year. An annual report is provided at the end of the year to summarize the activities of the previous year. Mr. Rees summarized the proposed activities of the Redevelopment Commission for 2006-07 and stated that the Redevelopment Commission will take a lead on a number of projects and work behind scenes on others. This is an ambitious list of properties to be acquired in the coming year. With approval of the plan, the Redevelopment Commission plans to come to the Council in August for funding to carry out these projects.

During discussion, it was noted that there will be mixed uses in the downtown area, with the general idea being to have office and retail on the first floor. They may be condominiums, but there is the potential for rentals. Reuse of a tobacco warehouse is a part of the revitalization plan. Staff will continue to look at opportunities to find good locations for that. There may be a possibility for more than one or two. In Athens, on the tour, they had taken warehouses and done creative things that benefited the community. It is definitely possible.

Motion was made by Council Member Dunn and seconded by Council Member Craft to approve the 2006-2007 Redevelopment Commission Annual Work Plan. Motion carried unanimously. (Document No. 06-6)

RESOLUTION IN SUPPORT OF LAND FOR TOMORROW'S EFFORTS TO HAVE THE GENERAL ASSEMBLY AUTHORIZE A BOND REFERENDUM TO INCREASE CONSERVATION SPENDING - ADOPTED

Mr. Boyd Lee, Director of Recreation and Parks, stated that the Land for Tomorrow is a growing partnership of citizens and organizations working to build awareness of why streams, farms, forests, parks, game lands, and historic places are critical to the future of North Carolina and to advocate for a public vote to provide additional state funding of \$200 million per year for five years to protect these places that matter. If such a bond issue is approved, the Parks and Recreation Trust Fund, from which the City just received a \$500,000 appropriation, will benefit tremendously over the next five years.

Motion was made by Council Member Dunn and seconded by Council Member Spell to endorse the resolution and join with many other cities and counties across North Carolina that are supporting this proposed bond issue. Motion carried unanimously. (Resolution No. 06-29)

RESOLUTION AFFIRMING THE CITY OF GREENVILLE'S COMMITMENT TO THE PRESERVATION OF GREENVILLE'S HERITAGE ASSETS - ADOPTED

Mr. Carl Rees stated that the Historic Preservation Commission wishes to expand its presence in the City. It has been working to get the word out about Greenville's preservation and history. It recently became aware of an initiative of the Bush Administration—Preserve America Community. A city can apply and receive substantial grant funds. There are currently seven in North Carolina, with Edenton and Kinston being two of those. One criteria for designation as a Preserve America Community is that the governing body of the community adopt a resolution indicating its commitment to the preservation of its heritage assets.

Motion was made by Council Member Craft and seconded by Council Member Spell to adopt the resolution affirming the City's commitment to preserve Greenville's heritage assets. Motion carried unanimously. (Resolution No. 06-30)

Mayor Pro-Tem Council stated that she wanted the Commission to be diverse.

MUNICIPAL INFRASTRUCTURE REIMBURSEMENT AGREEMENT WITH LANGSTON FARMS, LLC, FOR THOMAS LANGSTON ROAD EXTENSION – APPROVED

Council Member Little asked to be excused from voting on this item because of a conflict of interest. Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to excuse Council Member Little from voting on this item. Motion carried unanimously.

City Attorney Dave Holec stated that at the January 12, 2006 City Council meeting, an ordinance was adopted that authorized the City's use of infrastructure agreements with property owners and developers that construct or install infrastructure for use by the general public. The ordinance was adopted as a result of legislation enacted during the 2005 Session of the General Assembly, which provided the enabling authority to the City for these agreements. An infrastructure agreement is an agreement with a property owner or a developer which coordinates the construction of public improvements when the improvements involved include both improvements which would be the responsibility of the owner or developer in accordance with the City's development regulations and additional improvements that serve more than the development and, therefore, would be the responsibility of the City to install. The infrastructure agreement coordinates the construction of these improvements between the City and the developer or owner and, in general, provides that the expense for the public infrastructure improvements is the responsibility of the City to the extent that the public infrastructure improvements are oversized. The construction of the Thomas Langston Road Extension provides the opportunity for the City to utilize this mechanism. The owner of the property east of Memorial Drive upon which a substantial portion of the Thomas Langston Road Extension is located has agreed to an arrangement in which the City is responsible for the construction of the project and the City will receive the necessary 90 foot in width right-of-way upon the owners' property at no cost (an estimated value of \$559,000), and additionally, a reimbursement of \$600,000 of the expense incurred for the design and construction of the project. The agreement provides that the reimbursement is to occur in stages as identified tracts are developed but in no event later than in seven years. The agreement also provides for surety in the form of a deed of trust, letter of credit, or deposit of lands in escrow to guarantee the payment. Other provisions in the agreement relate to the responsibility for other improvements, the circumstances in which the owner may accomplish, at an earlier time, a portion of the improvements on its own, the ability of the owner to assign its rights and obligations, and what occurs if the project is not constructed. City Council approval of the agreement is required.

Motion was made by Council Member Craft and seconded by Council Member Spell to approve the Municipal Infrastructure Reimbursement Agreement with Langston Farms, LLC, for the Thomas Langston Road Extension. Motion carried unanimously. (NOTE: Council Member Little was excused from voting on this issue due to a conflict of interest.) (Contract No.1512)

AWARD OF CONTRACT FOR VILLAGE GROVE-SYLVAN DRIVE DRAINAGE IMPROVEMENT PROJECTS – APPROVED

Mr. David Brown, City Engineer, stated that bids for the Village Grove-Sylvan Drive Drainage Improvement Projects were received and opened on Tuesday, May 23, 2006. The lowest responsive base bid was submitted by Atwell Construction of Greenville, NC in the amount of \$1,514,856. This project involves upgrades of the storm drainage system within the Village Grove and Sylvan Drive area. This project will include the replacement and/or installation of approximately 7500 linear foot of storm drain piping and associated storm drainage structures. Greenville Utilities Commission is proposing certain water and sewer utility improvements as a part of this project. Greenville Utilities has agreed to fund this portion of work with a bid amount of \$80,232. Due to funding constraints, no alternatives are being recommended at this time.

Motion was made by Council Member Craft and seconded by Council Member Little to award a construction contract for the Village Grove-Sylvan Drive Drainage Improvement Projects to Atwell Construction in the amount of \$1,514,856.00. Motion carried unanimously. (Contract No. 1513)

Upon being asked if Atwell Construction has a good minority presence, Mr. Brown responded that they had to provide appropriate MWBE requirements, and they indicated they are being performed.

Upon being asked what the funding restraints are, Mr. Brown responded that staff sometimes looks at other alternatives that it would like to have done. That is why it didn't look at other alternatives at this time.

GENERAL OBLIGATION BOND REIMBURSEMENT RESOLUTION AND CAPITAL PROJECT BUDGET ORDINANCE FOR STORMWATER DRAINAGE IMPROVEMENTS - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the General Obligation Bond reimbursement resolution and capital project budget ordinance for the stormwater drainage improvements. Motion carried unanimously. (Resolution No. 06- 31; Ordinance No. 06-66)

REVENUE BOND REIMBURSEMENT RESOLUTION AND GAS CAPITAL PROJECTS BUDGET ORDINANCE FOR PHASE IIA EXPANSION OF GREENVILLE UTILITIES COMMISSION LNG FACILITY - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the revenue bond reimbursement resolution and gas capital projects budget ordinance for Phase IIA expansion of the Greenville Utilities Commission LNG Facility. Motion carried unanimously. (Resolution No. 06-32; Ordinance No. 06-60)

ADOPTION OF TWO GREENVILLE UTILITIES COMMISSION SEWER CAPITAL PROJECT BUDGETS FOR THE SOUTHWEST SEWER AREA CONNECTIONS, PHASES 1 AND 2 - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinances for two Sewer Capital Projects Budgets for the Southwest Sewer Area Connections, Phases 1 and 2. Motion carried unanimously. (Ordinances No. 06-61 and 06-62)

RESOLUTIONS ABANDONING GREENVILLE UTILITIES COMMISSION SANITARY SEWER EASEMENTS AT PITT COUNTY MEMORIAL HOSPITAL, INC. AND AUTHORIZE EXECUTION OF DEED OF RELEASE - ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the resolution and execute the deed of release. Motion carried unanimously. (Resolution No. 06-33; Contract No. 1514)

<u>GREENVILLE UTILITIES COMMISSION FY 2005-2006 BUDGET AMENDMENTS (END-OF-YEAR) - ADOPTED</u>

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance amending Greenville Utilities Commission FY 2005-2006 budget. Motion carried unanimously. (Ordinance No. 06-63)

BUDGET ORDINANCE AMENDMENT #11 TO THE 2005-2006 CITY OF GREENVILLE BUDGET AND CAPITAL PROJECT BUDGET ORDINANCE FOR THE READE/HODGES PARKING LOT IMPROVEMENT PROJECT –ADOPTED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt budget ordinance amendment #11 to the 2005-2006 City of Greenville budget and capital project budget ordinance for the Reade/Hodges Parking Lot Improvement Project. Motion carried unanimously. (Ordinance Nos. 06- 64 and 06-65)

REPORT ON BIDS AWARDED

City Manager Wayne Bowers referred the Council to bids that had been awarded as follows:

Date	Item Description	Awarded To	Amount
	-		
05/05/06	Tree Removal & Clean Up	Wainright Tree Service	\$12,000.00
	(Service Contract)		
05/05/06	System I Series (Computer	Venture System Source	\$61,780.00
	Equipment) *N.C. State	·	
	Contract Purchase		
05/18/06	Panasonic Toughbooks CF74	CDW Government, Inc.	\$58,054.60

VARIOUS TAX REFUNDS

Motion was made by Council Member Craft and seconded by Council Member Dunn to approve the tax refunds as listed below. Motion carried unanimously.

<u>Name</u>	Reason	
		<u>Amount</u>
Hatteras Hammocks, Inc.	Vehicle charged in city limits in error	\$449.02
Candace Marie Johnson	Vehicle charged in city limits in error	\$173.20
Candace M. & Todd Johnson	Vehicle charged in city limits in error	\$305.60
Pitt County Tax Collector	Vehicle charged in city limits in error	\$207.61
Take It Away Haulin	Vehicle charged in city limits in error	\$174.08
The Hammock Source	Vehicle charged in city limits	\$229.15
Elizabeth Ashley Phillips	Prorate taxes on vehicle	\$120.73

RECONSIDERATION FOR WEST GREENVILLE REGIONAL RESOURCES, INC.

Ms. Jocelyn Foust, Executive Director of West Greenville Regional Resources, Inc., stated that the group is requesting funding for ten youth. This is a one time request to support the project that deals with a project that no one else is dealing with. If the program is not funded, the students will be out there and being unproductive. The program will focus on academics and behavior improvement. She asked the Council to sponsor the children at a cost of just over \$19,000, which, Ms. Foust stated, is similar to purchasing tickets for an event. Records will be available for the City's inspection. Ms. Foust concluded by asking the Council to keep the children from falling through the cracks.

Council Member Spell expressed that it is important to have a program for local donors and local nonprofits. He read in <u>The Daily Reflector</u> that the County did not grant money for the Family Violence Center but did help them connect with local donors. This may be something the City can assist with. If the City provides funding, it will open the door for other requests and may get messy.

Council Member Little stated that there is a very good day camp provided by the Recreation and Parks Department at Eppes Center that runs from 7:30 until 5:30 in the afternoon with a variety of educational activities and trips provided at Carver Library, River Park North, etc. Council Member Little expressed that he did not believe the City should begin funding nonprofits.

Council Member Glover stated that there is a limited number of slots for children in the programs. Many of them are full.

Upon being asked to respond, Mr. Boyd Lee stated that almost every program is full except the West Greenville day camp. As of this afternoon, there is a placement for 40 children for two-week programs. At this particular time, there are 15 people signed up and there are openings for 25 more. If they want to help the West Greenville area, it could be done by helping get the children to the day camp. There is a scholarship program for those who cannot afford the programs, and children are not turned away. The basic program is from 9:00 until 4:00, and for an extra \$3, parents can bring their child at 7:30 a.m. and leave them until 6:00 p.m.

Council Member Glover stated that there has been a study group of mayors that have done studies all over the nation, and they have issued a challenge. They recognized that kids spend more time out of school than in school. Many children aren't experiencing the intellectual and spiritual growth that is needed to be a healthy adult. With stiffening competition from abroad, it is a threat to the nation's economy. There are 6.5 million kids benefiting from quality after school programs and more than 14 million latchkey kids with no adult supervision after school. Many cities have teamed up to help the youth with creative after school programs. Local elected officials who usually have no role over this realize that they do have the leadership role of looking over youth. Maybe the City should get more involved in other ways, such as identifying nonprofits and working with them to help enhance the nonprofit programs. Maybe the City could work with Recreation and Parks and make them more enriched for kids who need it. There are other things they need in the summer, particularly those who did not make the end of grade testing, so that they can move on. The Council, as an elected body, needs to start creating and building a database of nonprofit organizations and what they are offering. The nonprofits are limited on how many they can have or the basic structure of having buildings, etc. Even if the City decides it is not going to support nonprofits, there is a way to help nonprofits create a more diverse and larger way to reach out to more of the kids. The Council needs to try to help them focus on the bad. A lot of effort is put on K-4, but the students in 5-12 are left out. She thanked all the people who have given to West Greenville Regional Resources through the years. Now they need to see how they can reach the masses of children.

Council Member Dunn stated that Captain Hardy has been working to try to capture a database of all opportunities. Also, in the June issue of <u>The Daily Reflector</u>, there are six pages of camp opportunities for Greenville. One of the members of the Human Relations Council has also been working to identify opportunities for children, and there are over four pages of this. The City, working with the Human Relations Council, might generate a database and comprehensive list of opportunities. Most are free or not very expensive. There are a lot of opportunities out there. Mr. Lee has said that the Recreation and Parks Commission can take more youth at the West Greenville day camp.

Council Member Glover suggested getting that information on the public access channel.

Council Member Little asked if there is a database or way to determine all nonprofits in Greenville and Pitt County.

After discussion about a database of nonprofits, City Clerk Wanda Elks stated that as a part of one of the goals established by the City Council in January, the City Clerk's Office has been assigned the task of creating a listing of nonprofit organizations within Pitt County. It is hoped that will be completed by September.

Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Council to fund the ten children for the summer enrichment program. Motion failed with a 2:4 vote. Mayor Pro-Tem Council and Council Member Glover voted in favor of the motion. Council Members Dunn, Spell, Craft and Little voted in opposition.

COMMENTS FROM MAYOR AND CITY COUNCIL

The Mayor and Council Members provided comments.

CITY MANAGER'S REPORT

City Manager Bowers stated that there is no business that has to be conducted at the June 19 meeting.

Motion was made by Council Member Craft and seconded by Council Member Little to cancel the June 19, 2006 City Council meeting. Motion carried unanimously.

<u>ADJOURN</u>

Motion was made by Council Member Craft and seconded by Council Member Glover to adjourn the meeting at 9:05 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC City Clerk